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MAILED

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OFFICE OF PETITIONS

In re Patent No. 7,658,997 :
Issue Date : February 9, 2010 :
Application No. 10/540,379 : ON PETITION
Filed: June 23, 2005 :
Attorney Docket No. 65,361-001 :

This is a decision on the petition, filed June 24, 2010, which is being treated as a request under 37 CFR 3.81(b)¹ to correct the assignee's information on the Fee(s) Transmittal form PTOL-85(b) so that the Letters Patent will issue with the correct assignee information.

The request is **DISMISSED**.

37 CFR 3.81(b), effective June 25, 2004, reads:

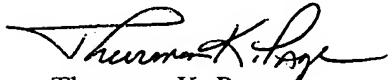
After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17(i) of this chapter.

The request under 37 CFR 3.81(b) was not accompanied by a statement that the assignment was submitted for recordation before issuance of the patent. As petitioner has failed to comply with the provisions of 37 CFR 3.81(b), the request cannot be granted at this time.

¹ See MPEP 1309, subsection II and Official Gazette of June 22, 2004

Inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

Any questions concerning issuance of a certificate of correction should be directed to the Certificates of Correction Branch at (571) 272-4200.



Thurman K. Page
Petitions Examiner
Office of Petitions